IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10658 of 2003

Between:

1 K. Sanjay Kumar S/o K.Indrasena 33 years,
R/o Flat No. G2 Rajashri Apartments, Megacity House No. 950
Ameerpet, Hyderabad
2 M/s. Soumith Enterprises, D. No. 6-6-269/131 Arun Jyothi Colony,
Gandhinagar, Secunderabad rep by Proprietor, K. Sanjay Kumar

..... PETITIONERS

AND

1 Union of India rep by Ministry of Law, Justice & Company Affairs,
Secretary, Finance, Udgoy Bhavan, New Delhi
2 ING Vysya Bank Ltd., rep by its Authorised Officer,
Vice President, Sardar Patel Road Branch Secunderabad-500 003

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, especially a Writ of Mandamus declaring the provisions of the Securitisation & reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002, especially Section 13(2) of the Said Act as being ultravires and unconstitutional and consequently set aside the notices issued by the second respondent NO.1 u/s 13(2) of the said Act bearing Ref. No. 1021/2003 dated 8-4-2003.

For the Petitioners: MR.R.V.SUBBA RAO

For the Respondent No. 1: MR. A. RAJASEKHAR REDDY SC FOR CG.

For the Respondent No. 2: MR. ADDEPALLI SURYANARAYANA

The court made the following